IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 576 of 2004 (M/B)

1. Association of Small News Papers of India,
   Central Officer 12/480, Macrobert Ganj,
   Kanpur 208001,
   (Uttaranchal Office: 53/1 New Basti,
   Chukhuwala, Dehradun).
2. Jagdish Bahuguna S/o Sri R.D. Bahuguna,
   R/o 134, Karanpur, Dehradun. …… Petitioners

Versus

1. State of Uttaranchal,
   through Secretary, Information & Public Relations,
   Dehradun.
2. Director, Information & Public Relations,
   Dehradun.
3. Union of India,
   thorough Ministry of Information & Broadcasting,
   New Delhi.
4. Press Council of India,
   New Delhi though its Chairman. …….. Respondents

Mr. B.P.S. Mer, Advocate on behalf of Mr. M.C. pant, Advocate for the petitioners.
Mr. Subhash Upadhyaya, Standing Counsel for respondents Nos. 1 and 2.
Mr. Pradeep Joshi, Standing Counsel (Central Govt.) for respondent No. 3.
None for respondent No. 4.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. B.P.S. Mer, Advocate on behalf of Mr. M.C. Pant, Advocate for the petitioners.

Mr. Subhash Upadhyaya, Standing Counsel for respondents Nos. 1 and 2.

Mr. Pradeep Joshi, Standing Counsel (Central Govt.) for respondent No. 3.

None for respondent No. 4.

They are heard.

2. The petitioners have filed this writ petition for the following reliefs:

> "A) Writ rule or direction to quash the impugned order dated 25.10.2002 as contained Annexure no. 5 & 6 to this petition and declare the Vigyapan Manyata Niyamawali 2001 and Uttaranchal Press Manyata Miyamawali ultravires to the constitution of India and struck down the same and further not to call any meeting or take any decision in pursuant to the impugned orders.
>
> B) Writ rule order or direction commanding the Respondent no. 1 & 2 to consider the case of the petitioner being nominated in Press Accreditation Committee, Advertisement Committee in accordance with the recognition to him as per Annexure – 2 to this petition.
>
> C) Writ rule or direction to the respondent no. 3 & 4 to direct take appropriate steps to enforce their Notification as contained to annexure 9 to this petition.
>
> D) Issue any other order or direction which the court may deem fit and proper in the circumstances of this case.
>
> E) Award costs of the writ petition to the petitioner."

3. During the course of hearing, the learned counsel for the petitioners confined his attack to the constitution of the two Committees namely advertisement Recognition Committee and Press Recognition Committee vide Annexures 5 and 6 dated 25.10.2002. From these annexures, itself, it is apparent that the tenure of these two Committees was for a period of two years only from the date of notification i.e. 25.10.2002.

4. As the tenure of two years of the two Committees constituted vide Notifications (Annexures Nos. 5 and 6) has already expired, the petitioner's challenge to the constitution of these Committees has, now, become infructuous.

5. The learned counsel for the petitioners failed to demonstrate as to how the rules framed by the State Government in 2001 i.e. Annexures Nos. 7 and 8 are unconstitutional.

6. In this view of the matter, the writ petition is liable to be dismissed and is, hereby, dismissed.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C. J.)**
06.06.2006 06.06.2006

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